

than to the unwillingness of those whose duty it is to declare the fact and apply the law ; and who thus, by an illtimed lenity, hold out the inducement of easy escape to the criminal. The most stringent provisions are of no avail where mistaken feelings of sympathy, or a postponement, removal, or delay of the trial, can prevent a just and speedy retribution. It is our misfortune, at present, that our fundamental law, in some of its provisions, enables criminals thus to postpone, if not defeat the action of justice ; and it is out of the power of the Legislature to remedy the defect. But it is an evil of great magnitude, and the mention of it may serve to awaken an inquiry into the possibility of some measures looking to the relief of the community.

The provisions of our penal code are, in many particulars, believed by those whose opinion is entitled to respect, to be unsatisfactory in their results, and unequal in their application. Under our system, which dates back for now nearly fifty years, crimes of lesser magnitude are visited with a punishment far heavier than is imposed on others, whose consequences, both in effect and example, work infinitely more injury to the community : while new offences and abuses of conceded rights, have become common, for which there is no punishment at all.

The right of the people to keep and bear arms, which properly understood and exercised, is one of the surest guarantees of a free government, has been abused and perverted into the pernicious custom of carrying concealed deadly weapons ; and their exhibition to the terror of, and their fatal use at the sacrifice, of the lives of peaceful citizens. Nor are these occurrences confined to occasions of sudden affrays or drunken brawls ; but we have seen, in the most populous portion of our State, that arms have been unlawfully obtained and secreted, and carried about the person, and unlawfully used on days of election ; and peaceful citizens and the officers of the law, in the discharge of their duty, have been ruthlessly shot down. It is no palliation of these crimes to say that they were perpetrated by those who are not sufficiently used to our habits and laws, and have only repeated here the acts of riot and bloodshed to which they were accustomed at home. If we are compelled to receive that material, and submit to its influence in other shapes, while it is becoming assimilated to our own population, we are not prevented from taking measures to secure peaceful elections, the safety of our citizens, and the personal security of officers in the discharge of their duty. The records of our penitentiary house show that from this material and from the vagrant free colored population of our State comes the larger number of those who have filled it overflowing.

Upon this matter of her free colored population, the State of Maryland is deeply concerned. According to the last census that class must now number more than eighty-five thousand with-